

cancel

(a) contacting a said sample oligonucleotide sequence with an anchor sequence comprising an oligonucleotide sequence which is immobilized to a support and which hybridizes with said sample oligonucleotide sequence and with a probe comprising an oligonucleotide sequence which hybridizes to a target oligonucleotide sequence to be detected in a suitable buffer to form a complex;

(b) subjecting said complex to a field which moves unbound oligonucleotide sequences away from said anchor sequence in the direction of said field, wherein said field is an electric field; and

(c) determining whether said probe is bound to said sample oligonucleotide sequence.

Claim 58 (Amended) The method of claim 49 wherein said probe is from about 6 to about 100bases.

REMARKS/ARGUMENTS

Applicant has reviewed the claims copied from the Konrad patent (USP 5,789,167). It is believed that the cancelled claims contain features which are not found within the disclosure relating to Applicant's APEX system, and accordingly, those claims have been cancelled. Claims 49, 54, 55, 57 and 58 (as amended) remain in this case. It is believed that the practice of a "sandwich" hybridization format is contemplated by the APEX disclosure (See, e.g., page 30, line 35). Further, the length described in the dependent claims are believed to be supported. For example, claim 58, as amended, is supported at least at page 31, line 12.